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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/630,083	07/30/2003	Frank Zamora	HES 2003-IP-009930U1	8473
28857	7590	11/21/2005	EXAMINER	
CRAIG W. RODDY HALLIBURTON ENERGY SERVICES P.O. BOX 1431 DUNCAN, OK 73536-0440			GAY, JENNIFER HAWKINS	
			ART UNIT	PAPER NUMBER
			3672	

DATE MAILED: 11/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/630,083	Applicant(s) ZAMORA ET AL.	
	Examiner Jennifer H. Gay	Art Unit 3672	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24,26-31 and 33-46 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-24,26-28 and 46 is/are allowed.
- 6) ☒ Claim(s) 29-31 and 33-45 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Claim Objections

1. Claim 33 objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claim 29 requires that the carrier be removable therefore the sleeve must be detachably connected to the carrier.
2. Claim 37 is objected to because of the following informalities: claim 37 is objected to because it depends from claim 32 which has been cancelled; for the purposes of examination the examiner is treating claim 37 as if it depends from claim 29. Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 29-31, 34, and 37-44 are rejected under 35 U.S.C. 102(b) as being anticipated by Nobileau (US 5,337,823).

Regarding claim 29: Nobileau discloses a system for placing a tubular sleeve in a wellbore that includes a tubular sleeve 3, which includes a plurality of braided fibers 5, 5', and a removable carrier 7 where the sleeve is located within the carrier. The examiner notes that as recited claim 29 does not require that the carrier be removable in the wellbore and further notes that "removable" is considered a broad term as anything can be removed from another object.

Regarding claim 30: The fibers can be glass (8:45-50).

Regarding claim 31: The carrier can be steel (Figures 4 and 5; the cross-hatching of the carrier 3 indicates that it is a metal and the most common metal used in wellbore tools is steel).

Regarding claim 34: An upper end of the carrier is attached to a conveyance string **21** that is tubing (Figure 5).

Regarding claims 37, 38: The sleeve is folded within the interior of the carrier (Figure 9).

Regarding claim 39: Injecting a pressurized fluid against the interior wall of the sleeve expands the sleeve.

Regarding claim 40: An inflatable member **6** is located within the sleeve where the inflatable member is used to expand the sleeve.

Regarding claim 41: The sleeve is impregnated with a curable resin prior to be running into the wellbore.

Regarding claim 42: The curable resin includes a partially polymerized resin capable of being cured by heating (7:32-40).

Regarding claims 43, 44: The carrier is circular after expansion and is sized to fit in the wellbore.

5. Claims 29, 30, 33, 37-39, 44, and 45 are rejected under 35 U.S.C. 102(b) as being anticipated by Heyn et al. (US 5,201,757).

Regarding claim 29: Heyn et al. discloses a system that includes a tubular sleeve **18** made of a plurality of braided fibers and a removable carrier **20** that holds the sleeve within its interior.

Regarding claim 30: The fibers are made of polypropylene (5:43-47).

Regarding claim 33: The sleeve is detachably attached to the carrier.

Regarding claims 37-39: The sleeve is placed within the carrier in a folded, undeployed state and is expanded upon deployment.

Regarding claim 44: The carrier is substantially cylindrical.

Regarding claim 45: The carrier includes a release mechanism for releasing the sleeve.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 35 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nobileau (US 5,337,823) in view of Whanger et al. (US 6,834,725).

Nobileau discloses all of the limitations of the above claims except for the system including an anchor attached to the base of the sleeve for securing the sleeve to the wellbore.

Whanger et al. discloses a method for expanding tubing in a wellbore. Whanger et al. further teaches securing an anchor 300 (Figure 7) to the bottom of the expandable tubing. It is noted that element 300 is disclosed as a sealing element but as the tubing is not hung from a tubing string, the sealing element would function as an anchor for the tubing.

It would have been considered obvious to one of ordinary skill in the art, at the time the invention was made, to have modified the system of Nobileau to include an anchor as taught by Whanger et al. in order to have ensured that the expanded sleeve was secured to the wellbore and would not move once the expanding fluid was removed from the sleeve.

Regarding claim 36: The anchor of Whanger et al. is made up of metal and an elastomer material.

Allowable Subject Matter

8. Claims 1-24, 26-28, and 46 are allowed.

Response to Arguments

9. In view of applicant's amendment to the abstract the objection specification has been withdrawn.

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10. Applicant's arguments filed 28 June 2005 have been fully considered but they are not persuasive.

Applicant has argued that Nobileau does not disclose a carrier that is removable from the wellbore or from the disclosed tubular sleeve. While the examiner agrees that once in the wellbore the carrier of Nobileau would not be removable from either the tubular sleeve or the wellbore, before deployment into the wellbore however there is no element of the carrier or sleeve that would prevent the carrier from being removed from the sleeve.

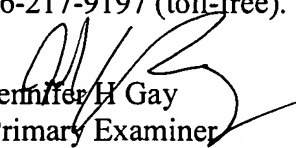
The examiner further notes that claim 29 does not require that the carrier and sleeve be placed in the wellbore nor even used with any wellbore structure.


Conclusion

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer H. Gay whose telephone number is (571) 272-7029. The examiner can normally be reached on Monday-Thursday, 6:30-4:00 and Friday, 6:30-1:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Bagnell can be reached on (571) 272-6999. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Jennifer H. Gay
Primary Examiner
Art Unit 3672

JHG 
November 15, 2005